

NOTES OF WORKING GROUP MEETING, MARCH 29, 2005

The meeting was called to order at 9:01 a.m. by Mike McGonagle, co-chair.

Members present: James N. Allam; Dan Beardsley; Terri Bisson; Angie Briggs; Maria Broadbent; Claude Cote; Clayton Carlisle; Tom Getz; Terrence Gray; Leo Hellested; Dante Ionata; Mike McGonagle; Eugenia Marks; Sherry Mulhearn; Steve Mutter; Chris Ratcliffe; John O'Brien; John Trevor.

Guests: Wolfgang Bauer, West Warwick Town Manager; Paul Caccia, RIRRC; Terry R. Corwin, MWS; Sam Corrado, SDS Disposal; Scott Corrado, We Dispose; David C. DiMaio, Patriot Disposal; David Gladu, Gladu Wrecking and Recycling; Al Guevremont, Roll-A-Way; Steve Iacobucci, City of Cranston; Butch Jencks; Don Lewis, D. Lewis & Son; Frank Macera, M&M Disposal; Mike Mesolella, RIRRC; Anthony Nunez, City of Providence; John Rambone, Rambone Disposal; Judy Shea, Clyde Roll-Off; Ray Silvestri, Clyde Roll-Off; John Souto, WasteXpress; Dave Stukus, Turner Waste & Salvage; Louis Vinagro, Jr; George Wellt, RI Dept of Administration. A number of haulers did not sign in.

The Notes of the March 15 Working Group meeting were reviewed and set down with amendments suggested by Mr. Schiller incorporated.

The entire meeting was dedicated to discussions of using hauler licensure to improve commercial recycling, the need to improve commercial recycling and how to do so. More than 25 haulers attended and several participated actively in a series of lively discussions.

Mr. McGonagle presented the paper previously circulated by Mr. Ward entitled "*Proposed Incentives for Diversion of Commercial Solid Waste*", dated 17 March 2005, as amended on 25 March 2005.

Mr. McGonagle explained that hauler licensure was introduced during recent Working Group discussions as a potential means of leveraging increased levels of commercial recycling.

Ms. Briggs initiated a very long discussion of licensure. She said she met with a number of haulers before the meeting and they understand the State's goal is to extend landfill life for as long as possible: "We want to be part of the solution not the problem, but licensure is not the way to go." She said 1) haulers do not have the funds to incentivize their customers to recycle; 2) they do not have the regulatory authority to compel customers to do so; 3) the Rhode Island hauling industry is so competitive that a hauler who requires his customers to recycle will lose them to his competition; 4) most haulers do not have the facilities or space to process trash; 5) even if they were able physically to sort the trash, they could not afford to do so; 6) haulers do not know if recyclables are in rubbish-filled containers when they pick them up. Haulers seldom are credited for their extensive recycling of C&D, she said.

Ms. Briggs complained that licensure is a "punishment system, a negative method" that will drive small haulers out of business, adding that licensure could drive haulers to find disposal sites alternative to Central Landfill, which now receives "more than 90% of our trash." She also said haulers are opposed to (a regulatory) landfill ban of recyclables as proposed by Mr. Ward because the intensely competitive nature of the industry would make it difficult if not impossible to implement fully and fairly. Ms. Briggs said it is contradictory for RIRRC to now demand that haulers deliver less commercial tonnage to the landfill while issuing put-or-pay contracts that mandate delivery of at least 90% of the hauler's previous year's tonnage to the landfill. Ms. Mulhearn explained the contract provision requiring 90% of tonnage delivery and she promised that RIRRC would amend the contract language so that haulers would not be penalized for the recyclables that they divert from the landfill. "We are trying to make you part of the solution," Ms. Mulhearn said. "We need your help."

A number of haulers complained that RIRRC disposal contract requirements conflict with the objective of extending landfill life by reducing the amount of waste going into Central Landfill. Mr. Guevremont said RIRRC refused to amend its disposal contract to allow C&D tonnage to be included in the contract's 1,000 ton minimum, so instead of delivering the C&D to be recycled, he delivers it to the landfill. Ms. Mulhearn said "we are going to fix that." Other haulers complained that their loads of C&D had to be delivered to the landfill after they were rejected at the C&D recycling facility because they contained metal.

Ms. Briggs suggested that methods of improving commercial recycling be developed in which the business community, the hauling industry, RIRRC and DEM "work cooperatively together." She asked, "what can we do, how can we help, what is the solution?"

Mr. Jencks said "what we need is a dirty MRF" where recyclables can be separated from trash. Mr. Jencks suggested that if RIRRC developed such a facility, it could be made available to all haulers to use for a fee. Mr. Stukus said there were "only two ways to really do commercial recycling", either with a commercial recycling facility or by use of incentives. He said a commercial recycling facility could be developed privately, possibly by a joint venture involving several haulers, who would invest in building and equipping it. He said RIRRC should consider selling a parcel in its industrial park for such use. Ms. Mulhearn asked the haulers why they would want to capitalize a commercial recycling facility when RIRRC has scheduled the installation of commercial recycling equipment at the Tipping Facility. Mr. Stukus and Mr. Souto said that another possibility would be for the RIRRC to develop a facility for the sorting of recyclables, as suggested by Mr. Jencks.

Mr. Stukus and several other haulers objected to licensure which they referred to as "punitive" and "negative." They all cited the competitiveness of the R.I. hauling industry as a reason why licensure would not work and they all suggested that other approaches be considered.

Mr. Stukus asked whether RIRRC has considered operating Central Landfill as a bio-reactive landfill and whether mining the facility has been considered. Ms. Mulhearn said RIRRC has studied various types of bio-reactive operations. She and Mr. Cote said mining has also been considered but there are serious legal issues related to mining Central Landfill.

Mr. Trevor noted that many states license haulers and that Rhode Island and New Hampshire are the only New England states that do not. A hauler said it would be difficult to require haulers to recycle because most do not have the space to do so. Mr. Trevor said many companies report that their contract haulers instruct them to put recyclables and trash in the same dumpster and that recyclables are separated out later. "Where is this happening?" he asked. Mr. Souto said RIRRC should not charge haulers for the delivery of recyclables at the MRF.

Mr. Stukus said source-separation of recyclables from CSW will not work and enforcing a landfilling ban by charging a higher tipping fee for loads with recyclables will also not work. "Who is going to be the arbitrator of whether my load is worse than yours and vice versa," he said. Mr. Trevor asked why source separation would not work in Rhode Island since it works in other parts of the country. Mr. Stukus replied that the hauling industry in Rhode Island is too competitive for source separation to work here.

Mr. Stukus said haulers want to do more recycling and a dirty MRF is the answer. He said several haulers are prepared to invest in such a facility. Mr. Jencks said the important materials to remove from the CSW stream are cardboard, paper, metal and wood and not bottles and cans. Mr. Stukus said that DEM should be prepared to license a commercial recycling facility. Mr. Gray responded that DEM currently has the authority to license such a facility and is prepared to consider an application provided that the licensee ensures that process residuals will not be stockpiled on the facility site. As long as applicants are willing and able to ensure against such stockpiling, Mr. Gray said, he invited interested haulers to begin discussing the matter with his agency.

Mr. Trevor asked the haulers if increasing the commercial solid waste tipping fee would lead to more recycling and several agreed that it would.

A long discussion of opening and operating a transfer station for the purpose of recycling commercial recyclables ensued with many haulers participating.

The meeting was adjourned at 11:15 a.m.